

March 22, 1977

Motion was made to confirm these but we did not have enough votes so no action was taken on the appointments of James M. Davis an attorney from Omaha, Nebraska and Judge Ralph Slocum of Lincoln, Nebraska. We have no report...we took no action.

PRESIDENT: Then your committee is not ready to report...

CLERK: They came out on the report Mr. President, I have a motion on the desk. I move to return the name of James M. Davis back to the committee for action. Signed Senator Luedtke.

PRESIDENT: Are they before the Legislature now? Isn't it still in committee?

SENATOR SAVAGE: We reported them in the Journal so I suppose they are before the Legislature.

PRESIDENT: It appears to the Chair, Senator Luedtke, that no action has been taken by the committee and it is still in the committee. All the committee did in including this in the report was to advise the Legislature as to the status of those two people. You're not making any recommendations pro or con on these two nominees, are you Senator Savage?

SENATOR SAVAGE: I can't; we didn't have the vote.

PRESIDENT: The Speaker agrees. I think that those two names are still in committee and no definitive action has been taken. There's nothing for the Legislature to act on.

SPEAKER LUEDTKE: I withdraw any motion. I did it only in the sense that I wanted to debate the point and I think that they are in committee, too Mr. President. They merely have to go back until they vote it up or down.

PRESIDENT: Senator Nichol, for what purpose do you rise?

SENATOR NICHOL: Just for a question. Is it possible that we could bring this to the floor without the committee's approval just as we do bring a bill out with 30 votes?

PRESIDENT: I would think to draw the analogy in a bill, it would take 25 since they have taken no action. They haven't moved to kill those actually.

SENATOR NICHOL: Would you rule that we can do that with these two people or not?

PRESIDENT: Well, that applies to bills. I don't know that there's any specific procedure for Committee on Committees.

SENATOR NICHOL: I would move that we do it just to see what happens.

PRESIDENT: I'll say that that motion is in order. I'm not at all sure that it is, but there is some analogy between this and a bill. Now this is only to bring it out so we can vote on it. We're not discussing anything other than whether to bring it out here to debate the name, on both of them Senator Nichol?

SENATOR NICHOL: Yes, Sir.